

FILED: May 4, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1078 (L)  
(2:21-cv-00316)

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B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellants

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY  
BOARD OF EDUCATION; WEST VIRGINIA SECONDARY SCHOOL  
ACTIVITIES COMMISSION; W. CLAYTON BURCH, in his official capacity as  
State Superintendent; DORA STUTLER, in her official capacity as Harrison  
County Superintendent

Defendants - Appellees

and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors - Appellees

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TREVOR PROJECT; TRANSGENDER WOMEN ATHLETES; UNITED  
STATES OF AMERICA; NATIONAL WOMEN'S LAW CENTER AND 51  
ADDITIONAL ORGANIZATIONS; STATE OF NEW YORK; AMERICAN  
ACADEMY OF PEDIATRICS; AMERICAN MEDICAL ASSOCIATION;  
FOUR ADDITIONAL HEALTH CARE ORGANIZATIONS; ATHLETE ALLY;  
CURRENT AND FORMER PROFESSIONAL, OLYMPIC AND  
INTERNATIONAL ATHLETES IN WOMENS SPORTS; NATIONAL  
WOMEN'S SOCCER LEAGUE PLAYERS ASSOCIATION; WOMEN'S

SPORTS FOUNDATION; DISTRICT OF COLUMBIA; STATE OF HAWAII; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; STATE OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; STATE OF MASSACHUSETTS; STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON

Amici Supporting Appellants

and

THOMAS MORE SOCIETY; NATIONAL ASSOCIATION OF EVANGELICALS; CONCERNED WOMEN FOR AMERICA; INSTITUTE FOR FAITH AND FAMILY; SAMARITAN'S PURSE; WOMEN'S DECLARATION INTERNATIONAL USA; 25 ATHLETIC OFFICIALS AND COACHES OF FEMALE ATHLETES; FEMALE OLYMPIC ROWERS MARY I. O'CONNOR, CAROL BROWN, PATRICIA SPRATLEN ETEM, VALERIE MCCLAIN, AND JAN PALCHIKOFF; 22 BUSINESS EXECUTIVES; INTERNATIONAL CONSORTIUM ON FEMALE SPORT; INDEPENDENT COUNCIL ON WOMEN'S SPORT; DEFENSE OF FREEDOM INSTITUTE; 78 FEMALE ATHLETES, COACHES, SPORTS OFFICIALS, AND PARENTS OF FEMALE ATHLETES; PUBLIC ADVOCATE OF THE UNITED STATES; AMERICA'S FUTURE; U.S. CONSTITUTIONAL RIGHTS LEGAL DEFENSE FUND; ONE NATION UNDER GOD FOUNDATION; FITZGERALD GRIFFIN FOUNDATION; CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND; INDEPENDENT WOMEN'S LAW CENTER

Amici Supporting Appellees

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O R D E R

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Parents Defending Education, Women's Declaration International USA, 25 Athletic Officials and Coaches of Female Athletes, Female Olympic Rowers Mary I. O'Connor, Carol Brown, Patricia Spratlen Etem, Valerie McClain, and Jan

Palchikoff, 22 Business Executives, International Consortium on Female Sport, Independent Council on Women's Sport, Defense of Freedom Institute, 78 Female Athletes, Coaches, Sports Officials, and Parents Of Female Athletes, Public Advocate of the United States, America's Future, U.S. Constitutional Rights Legal Defense Fund, One Nation Under God Foundation, Fitzgerald Griffin Foundation, Conservative Legal Defense and Education Fund, and Independent Women's Law Center have filed amicus curiae briefs with the consent of the parties.

The court accepts the briefs for filing.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk